

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:)	
)	
ROBERT S. HENDERSON and)	Chapter 13
DIANNE P. HENDERSON)	Case No.: 13-20352
)	
Debtors.)	

OPINION

This matter is before me on the Second Application for Compensation for Services by Lee Anne Graybeal, Esq. (Docket Entry (“DE”) 81) (the “Fee Application”). In making my determination I have considered, among other things, the Fee Application, the Chapter 13 Trustee’s (the “Trustee”) objection (DE 84), and Ms. Graybeal’s response (DE 85).

Ms. Graybeal bears the burden of proof as the applicant. *In re Hansbury*, 2015 WL 2445051, *1-*2 (Bankr. D. Me. May 20, 2015). The law I apply in reviewing fee applications is set forth in *In re Mullen*, 2014 WL 4988269, at *1 (Bankr. D. Me. Oct. 6, 2014).

Ms. Graybeal seeks allowance of \$6,996.50 in fees and no costs. The Trustee objects and asserts that the following amounts should be disallowed for the following reasons:

	<u>Amount</u>	<u>Reason</u>
1.	\$ 37.50	Too vague.
2.	\$ 633.50	Time associated with final confirmation which was not in order because Debtor had not yet provided necessary documents and had not filed necessary schedules.
3.	\$ 86.00	Overhead costs.

Ms. Graybeal addressed the Trustee's concerns in her response. She agrees to the reductions in categories 1 and 3 of \$123.50 in fees. As to the fees sought in connection with category 2, my review of the application, in consideration of the Trustee's concerns that the failure of the Debtors to provide updated information prior to final confirmation, while keeping in mind the ever changing needs of debtors during the travel of a case, leads me to disallow \$300 of the \$633.50 sought.

Therefore, applying a "flexible paradigm", in keeping with my prior decisions on fee applications, I hereby grant the Fee Application in the amount of \$6,573.00. *Berliner v. Pappalardo (In re Sullivan)*, 674 F.3d 65, 69 (1st Cir.2012). A separate order shall enter.

Date: February 5, 2016

/s/ Peter G. Cary

Hon. Peter G. Cary

Bankruptcy Court

U.S. District of Maine